

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
SECURITIES AND EXCHANGE COMMISSION,	:	
Plaintiff,	:	
	:	17 Civ. 5821 (LGS)
-against-	:	
	:	<u>ORDER</u>
ROBERT GENOVESE, ET AL.,	:	
Defendants.	:	
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LORNA G. SCHOFIELD, District Judge:

WHEREAS, all remaining motions in limine were resolved in a separate Order.

WHEREAS, on September 16, 2022, the parties filed a joint letter describing several disputes between them about the admissibility of exhibits.

WHEREAS, as previously stated in the Order at Dkt. No. 277, at trial, each party will have 16 hours for opening statements, direct and cross, i.e., any time that counsel are on their feet other than summations. Time limits for summations will be determined later.

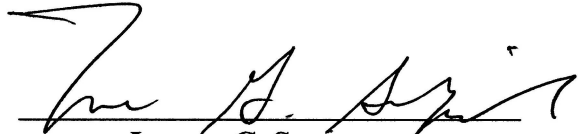
WHEREAS, the Court's practice is to rule on objections to most if not all exhibits at the final pretrial conference, and admit exhibits immediately when trial commences. The exception is documents admitted to respond to events at trial, for example, prior consistent statements to rebut a charge of recent fabrication. See Rule 801(d)(1)(B). It is therefore imperative that the parties winnow their exhibits to those they actually intend to use at trial, and the number of exhibits to which they object. Only a small subset of the proffered exhibits can be meaningfully used at a jury trial of limited duration. It is hereby

ORDERED that the parties shall meet and confer to resolve their disputes over the admissibility of exhibits, including both those disputes that are affected by the resolution of the motions in limine and those that are not. By **November 18, 2022**, the parties shall file a joint

letter attaching revised exhibit lists, marked to show objections in accordance with the Court's Individual Rule IV.B.6. If the parties continue to dispute the admissibility of any exhibits, the joint letter shall group the exhibits by category and state each party's position on each category with supporting authority. It is further

ORDERED that the final pretrial conference scheduled for November 15, 2022, is adjourned to **November 22, 2022, at 2:00 P.M.** The conference will take place by telephone and must be attended by lead trial counsel for both sides. To join the conference, participants shall dial 888-363-4749 and use access code 558-3333.

Dated: November 7, 2022
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE